

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:08-cr-00015-MR**

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

ORDER

STEVEN JAMES HALL,)

Defendant.)

THIS MATTER comes before the Court upon the Defendant's "Motion for Default Judgement Pursuant to Rule of Civil Procedure 55(a)(d) [sic]" [Doc. 58].

By way of the present motion, the Defendant moves for a default judgment against the Government on the grounds that the Government has failed to respond to his motion for summary judgment [Doc. 57].


The Defendant's motion for summary judgment has been denied, as this is a criminal action, and motions for summary judgment are properly filed only with respect to civil actions. [See Doc. 62]. Similarly, motions for default judgment are appropriately filed only in civil actions. As the Court noted in its prior Order [Doc. 62], there is currently no civil action, either by or against the Defendant, pending in this Court. Accordingly, the Defendant's motion

for default judgment is improper and must be denied and dismissed as frivolous.

IT IS, THEREFORE, ORDERED that upon the Defendant's "Motion for Default Judgement Pursuant to Rule of Civil Procedure 55(a)(d) [sic]" [Doc. 58] is **DENIED** and **DISMISSED**.

IT IS SO ORDERED.

Signed: February 28, 2020


Martin Reidinger
United States District Judge

